BEFORE THE CITY COUNCIL OF THE CITY OF ELGIN, OREGON

IN THE MATTER OF:

The Vacation of the Street known as Hartford Street, formerly known as Fourth Street, north of Block 4 in Hindman's Addition to the City of Elgin, Union County, Oregon, between the intersection of North Eleventh Avenue and North Tenth Avenue with said Hartford Street

ORDINANCE NO. 9
SERIES 1963

WHEREAS, the City Council of the City of Elgin, Oregon, by Resolution No. 3, Series 1963, approved and adopted on July 9, 1963, iniated vacation proceedings for the vacation of a portion of Hartford Street, formerly known as Fourth Street, lying north of Block 4 in Hindman's Addition to the City of Elgin, Union County, Oregon, and between the intersections of said street with North Eleventh Avenue and North Tenth Avenue in the City of Elgin, Union County, Oregon, and did by such resolution declare its intention to make such vacation without petition of property owners unless good cause to the contrary be shown, and

WHEREAS, the City Council caused an examination to be made of the hereinabove described street and found that the said street has never been opened to the public and has never been used as a street or public thoroughfare, and is not now in use as such, and that said street has been abandoned for many years and that there are no electric transmission lines, telephone transmission lines, television transmission lines, water mains, gas mains, sewer lines or other public utilities situated in, upon or under said street and that the property owners adjacent to said street and each of them have either requested that said street be vacated or made no objection thereto, and that the City Council initiate vacation proceedings with respect to said street pursuant to ORS 271.130, and

WHEREAS, the City Council has found that the vacation of said street will not in any way adversely affect the market value of the adjoining adjacent or closely situated properties nor will cause any damages to inure thereto, and that the interest of the public

will not be prejudiced by such vacation, but will, on the contrary, be served, and

WHEREAS, there are no city liens or other taxes unpaid on the lands covered by the proposed street vacation as shown by the certificates of the City Recorder of Elgin, Oregon and the Sheriff of Union County, Oregon, each heretofore filed herein, and

WHEREAS, notice of such street vacation was published in the Elgin Recorder, a newspaper of general circulation, printed and published in Elgin, Union County, Oregon for four successive and consecutive weeks, beginning with the issue of said newspaper dated July 18, 1963 and continuing on July 25, 1963, August 1, 1963 and August 8, 1963, due proof of such publication in affidavit form having heretofore been filed with the City Recorder of Elgin, Oregon, and

WHEREAS, notice of such street vacation was duly posted on the 16th day of July, 1963 in two conspicuous public places in public view in the City of Elgin, Union County, Oregon, towit: one at the intersection of North Eleventh Avenue and one at the intersection of North Tenth Avenue where the same intersect with Hartford Street at each end of the section of said street proposed to be vacated, due proof of such posting having heretofore been filed in affidavit form by and with the City Recorder of Elgin, Oregon, and

WHEREAS, at the time and place fixed for the hearing on said vacation, to-wit: at the hour of eight o'clock P. M. on Tuesday, September 10, 1963, in the City Commission room in the City Building in the City of Elgin, Union County, Oregon, said hearing on said vacation was held; that no objections or remonstrances to such street vacation were made in writing and filed with the City Recorder of said city prior to the time of such hearing or at all; that no objection or remonstrances of any kind have been made to such vacation; Now, Therefore, the City of Elgin does hereby

ORDAIN as follows:

Section 1. That the notice of the time and place of the hearing on the above described street vacation as required by Resolution

No. 3, Series of 1963, and has been given as provided by statute.

Section 2. That the proposed street vacation will not in way adversely affect the market value of the adjoining adjacent or closely situated properties nor will cause any damage to inure thereto nor will the interests of the public therein be prejudiced by such vacation, but, on the contrary, will be enhanced and served thereby.

Section 3. That there has been filed in the office of the City Recorder of said city a certificate showing that all liens and taxes have been paid on the lands covered by the street to be vacated; that there has been filed in the office of the City Recorder of Elgin, Oregon a certificate of the Sheriff of Union County, Oregon showing that all taxes have been paid on the lands covered by the street to be vacated.

Section 4. That the street sought to be vacated, to-wit: that portion of Hartford Street north of Block 4 in Hindman's Addition to the City of Elgin, Union County, Oregon, lying between the intersections of North Eleventh Avenue and North Tenth Avenue in said city of Elgin, Union County, Oregon, be and the same is hereby vacated.

PASSED AND ADOPTED this September 10, 1963 by 6 Councilmen voting therefor.

ATTESTED:

Ethel Hunt

City Recorder of Elgin, Oregon

APPROVED this September 10, 1963:

Floyd A. Lakey

Mayor of the City of Elgin, Oregon